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Separate paging is given to this Part in order that it may be filed as a separate compilation.

LOK SABHA

The following Bill was introduced in Lok Sabha on 7th April, 2003:—

BILL NO. J9 OF 2003

A Bill to amend the Indian Council of World Affairs Act, 2001.

BE it enacted by Parliament in the Fifty-fourth Year of the Republic of India as follows:—

1. This Act may be called the Indian Council of World Affairs (Amendment) Act, 2003. Short title.

29 of 2001.

2. In section 7 of the Indian Council of World Affairs Act, 2001 (hereinafter referred to as the principal Act), in sub-section (2),—

Amendment of section 7.

(i) the words and figures “which shall not be later than three months from the date of assent by the President of the Indian Council of World Affairs Bill, 2001” shall be omitted and shall be deemed always to have been omitted;

(ii) for clause (c), the following clause shall be substituted, namely:—

“(c) Director-General, *ex officio* Member-Secretary;”;

(iii) in clause (g),—

(a) for the words “either media personalities or representatives of organisations”, the words “either media personalities or persons from organisations” shall be substituted;

(b) for the word “selected”, the word “nominated” shall be substituted;

(iv) in clause (h), for the words "who are representatives of Business or", the words "from Business or" shall be substituted;

(v) in clause (i), the words ",to be nominated by the Chairperson of the Governing Body" shall be omitted.

Amendment of section 15. 3. In section 15 of the principal Act, for sub-sections (1) and (2), the following sub-sections shall be substituted, namely:—

"(1) There shall be a Director-General of the Council who shall be appointed by the President in consultation with the Central Government.

(1A) The Director-General shall be the chief executive officer of the Council.

(1B) The Director-General shall be at least equivalent to the rank of Additional Secretary to the Government of India and shall have a tenure not exceeding three years.

(2) The Director-General shall act as *ex officio* Member-Secretary to the Council, its Governing Body and other bodies and Committees thereof.”.

Insertion of new section 23A. 4. After section 23 of the principal Act, the following section shall be inserted, namely:—

Transitory provision. “23A. For the removal of doubts, it is hereby declared that till the constitution of a Council in terms of sub-section (2) of section 7, the Council referred to in sub-section (1) thereof shall be deemed to have been a Council for the purposes of this Act notwithstanding anything contrary contained in any provision of this Act:

Provided that anything done or any action taken or any proceeding initiated under any provision of this Act or rules or regulations made thereunder shall not be called in question before any court or other authority because of non-existence of a Council in terms of sub-section (2) of section 7.”.

Insertion of new section 28A. 5. After section 28 of the principal Act, the following section shall be inserted, namely:—

Power to remove difficulties. “28A. (1) If any difficulty arises in giving effect to the provisions of the Indian Council of World Affairs (Amendment) Act, 2003, the Central Government may, by order, do anything not inconsistent with such provisions for the purpose of removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the commencement of the Indian Council of World Affairs (Amendment) Act, 2003.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.”.

STATEMENT OF OBJECTS AND REASONS

The Indian Council of World Affairs (hereinafter referred to as 'ICWA'), a society registered under the Societies Registration Act, 1860, was declared as an institution of national importance and it was taken over by the Central Government by enacting the Indian Council of World Affairs Act, 2001 (29 of 2001). After the Government took over the management of ICWA, a number of improvements have been carried out for its smooth functioning. However, certain amendments in the Act are considered necessary which are explained below:—

(i) The six-member Council formed under sub-section (1) of section 7 of the Act (say the interim Council) was only for three months within which the regular Council under the Presidentship of Vice-President of India was to be appointed. This could not be done for various reasons. As a result, the ICWA does not have a regular Council at present and the Act also does not provide for any mechanism to constitute the first Council under sub-section (2) of section 7 of the said Act. Hence, the stipulation of "three months" needs to be removed to enable the Government to put in place the first regular Council of ICWA.

(ii) Sub-section (2) of section 7 of the Act, *inter alia*, stipulates that the Governing Body of the Council will select members of the Council who would be either media personalities or representatives of organisations such as India International Centre, Centre for Policy Research, Institute of Defence Studies and Analysis, etc., and from business and industry. To appoint members belonging to these categories, it is necessary to put in place the Council consisting of members from the remaining categories. It is, therefore, proposed to amend the Act so as to enable the Governing Body of the Council to nominate members of these organisations and interests as in the case of representatives of universities, research institutions, representatives of Business or Chambers of Commerce, etc.

(iii) It has also become necessary to amend the Act so as to involve the Director-General of the Council in all meetings of the Council, its Governing Body and various other bodies and committees of the Council. It is, therefore, proposed to make the Director-General as Member-Secretary, *ex officio* of the Council. The Director-General would be at least of the rank equivalent to Additional Secretary to the Government of India and he may be appointed for three years, by the President of the Council in consultation with the Central Government instead of being appointed by the Council, as at present.

2. The Bill seeks to achieve the above objects.

DIGVJAY SINGH.

G. C. MALHOTRA,
Secretary-General.